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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,305	08/20/2001	James Randall Turner	PA1533US	8301

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EXAMINER	
HU, JINSONG	
ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/934,305

Applicant(s)

TURNER, JAMES RANDALL

Examiner

Jinsong Hu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-19 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Shirai et al. (Pub. No. US 2001/0056499).

4. As per claims 1 and 2, Shirai teaches the invention substantially as claimed including a method for automatically selecting and assigning non-overlapping IP addresses [col. 1, paragraph 1] comprising the steps of:

setting an internal address space to a default private IP address space [col. 1, paragraph 1; col. 3, paragraphs 36-37]

receiving a provider's private IP address and range [Fig. 10; col. 1, paragraphs 6-8; col. 4, paragraphs 55-56; col. 5, paragraph 66-68; i.e., collected IP addresses for all

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of those devices will find out a provider's private IP address, because a device's IP addresses includes it's host address, which is provider's private address];

determining if the default IP address space overlaps with the provider private IP address and range [col.3, paragraphs 46-47; col. 4, paragraph, 4]; and

if the default private IP address space overlaps with the provider private IP address and range, selecting a largest available non-overlapping private IP address space [col. 3, paragraph 47; col. 4, paragraphs 57 and 61].

5. As per claim 3, Shirai teaches the step of iterating through each available private IP address space to find the largest available non-overlapping private IP address space [col. 4, paragraph 57].

6. As per claim 4, Shirai teaches the step of selecting from the default IP address space a private IP address and assigning the selected private IP address to a network device if the default private IP address space does not overlap with the provider private IP address and range [col. 1, paragraph 8; col. 3, paragraphs 46-47].

7. As per claim 5, Shirai teaches the step of selecting a private IP address from the largest available non-overlapping private IP address space and assigning the selected private IP address to a network device if the default private IP address space overlaps with the provider private IP address and range [col. 4, paragraph 57].

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8. As per claims 6-9, since they are system claims of claims 1 and 3-5, they are rejected for the same basis as claims 1 and 3-5 above.

9. As per claim 10-13, since they are computer program claims of claims 1 and 3-5, they are rejected for the same basis as claims 1 and 3-5 above.

10. As per claims 14-19, since they are apparatus claims of claims 1-5, they are rejected for the same basis as claims 1-5 above.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Arndt (US 6,826,611), discloses a IP address configuration system;

Shirai et al. (Pub. No. US 2001/0056499), discloses a address deciding system;

Matsukawa (Pub. No. US 2001/0017857), discloses a IP address detecting system;

Yi (Pub. No. US 2002/0066029), discloses a network system; and

Warrier et al. (Pub. No. US 2004/0136337), discloses routing system.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

January 13, 2005

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